

MESSAGE

OF

12

HIS EXCELLENCY

JOHN W. GEARY,

TO THE

GENERAL ASSEMBLY

OF

PENNSYLVANIA,

JANUARY 6, 1869.

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MESSAGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania :

GENTLEMEN:—For the harmony and general relations of comity and friendship existing between Pennsylvania and all the other States and Territories of the National Union; for the present prosperous condition of the Commonwealth; for the glad signs of coming political tranquillity; and for the success which attends the progress of our free institutions, we owe a heavy debt of gratitude to Divine Providence. In view of the favorable circumstances under which you are now assembled, it becomes my province and duty, as it is my pleasure, to offer you my hearty congratulations, and to tender you a cordial welcome to the Legislative Halls of the State. This, indeed, affords me a higher gratification because I participate with your constituents in the confidence manifested by them in selecting you to represent their individual interests as well as those of the Commonwealth. On your wisdom, integrity, judgment and discretion, all will undoubtedly rely for the correct determination of every question affecting the largest interests and gravest responsibilities, and for a continuance, and even an increase, of that prosperity which has hitherto been so signally enjoyed.

It is not without a consciousness of the great responsibility resting upon me that I undertake the performance of a constitutional duty, requiring that the Governor “shall from time to time give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he shall judge expedient.” In conformity

with this requirement your attention will be called only to such matters of public interest as in my judgment deserve careful consideration and action on your part during the present session.

FINANCES.

The following is a carefully prepared statement of the financial condition of the State for the fiscal year ending November 30, 1868:

The reports of the Auditor General and State Treasurer show that the balance in the Treasury, November 30, 1867, was.....	\$4,661,836 46
Ordinary receipts during the fiscal year ending November 30, 1868.....	5,216,049 55
Depreciated funds in the Treasury, unavailable.....	41,032 00
Total in Treasury for fiscal year ending Nov. 30, 1868,	\$9,918,918 01
Payments, viz:	
Ordinary expenses during the fiscal year ending November 30, 1868..	\$2,454,506 09
Loans, &c., redeemed.....	4,417,463 64
Other payments.....	12,800 00
Interest on loans.....	1,979,690 91
Depreciated funds, unavailable.....	41 032 00
	8,905,492 64
Balance in Treasury, November 30, 1868.....	<u>\$1,013,415 37</u>

Sinking Fund.

By an act approved April 10, 1868, the transactions of the Commissioners of the Sinking Fund were ordered to be thereafter reported annually to the 30th day of November. Their last report, therefore, includes a period of one year and three months.

The following is the "recapitulation" of the operations of the sinking fund, from September 3, 1867, to November 30, 1868:

Balance in fund, September 3, 1867.....	\$1,737,912 41
Receipts in fund from September 3, 1867, to November 30, 1868.....	3,418,992 31
	5,156,904 72
Paid interest	\$1,808,005 84
Premiums paid as equivalent for coin, ...	49 98
Loans redeemed.....	2,414,816 64
	4,222,871 96
Balance in fund November 30, 1868.....	\$934,032 76

By the sixth section of the act of May 16, 1861, a special tax of one-half mill on the dollar was especially set apart for the payment of the interest and redemption of the loan created by an act of May 18, 1861, entitled "An Act to create a loan and provide for arming the State."

Balance on hand September 3, 1867.....:	\$319,933 17
The receipts from said tax and tax on gross receipts from September 3, 1867, to November 30, 1868, amount to,	423,979 20
Total	743,912 37
Interest paid in January and July, 1868.....	169,245 00
Balance in fund November 30, 1868	\$574,667 37

Condition of Balances.

Balance in sinking fund November 30, 1868.....	\$934,032 76
Balance in sinking fund November 30, 1868.....	74,667 37
	\$1,508,700 13
Deduct balance in Treasury, November 30, 1868.....	1,013,415 37
Balance in favor of sinking fund.....	\$495,284 76

Reduction of the State Debt.

By the report of the Commissioners of the Sinking Fund for the year ending September 3, 1867, the "loans redeemed"

amounted to \$1,794,569 50, and by their report from September 3, 1867, to November 30, 1868, the "loans redeemed" amounted to \$2,414,816 64, making a total reduction of the State debt, in two years and three months, of four million two hundred and nine thousand three hundred and eighty-six dollars and fourteen cents.

The assets remaining in the Sinking Fund are as follow, viz:—Bonds of the Pennsylvania Railroad Company, six million, four hundred thousand dollars, and bonds of the Philadelphia and Erie Railroad Company, three million, five hundred thousand dollars. These are non-interest bearing bonds and will not mature for many years. I, therefore, recommend to the consideration of the Legislature the propriety of the passage of a law, authorizing the Commissioners of the Sinking Fund to sell these bonds at public sale to the highest bidder, and direct the proceeds to be applied to the liquidation of the State debt.

Public Debt.

Public debt outstanding December 1, 1867.....	\$37,704,409 77
Deduct amount redeemed at State Treasury during the fiscal year ending November 30, 1868, viz :	
5 per cent. loans.....	\$4,354,253 64
4½ per cent. loans.....	63,000 00
Relief notes cancelled.....	210 00
	4,417,463 64
Public debt December 1, 1868.....	\$33,286,946 13

Statement showing the condition of the indebtedness of the Commonwealth on the first day of December, 1868.

Funded debt, viz:

6 per cent. loans.....	\$25,311,180 00
5 per cent. loans.....	7,749,771 56
4½ per cent. loans.....	112,000 00
Total funded.....	\$33,172,951 56

Amount brought forward..... \$33,172,951 56

Unfunded debt, viz:

Relief notes in circulation.....	\$96,415 00	
Interest certificates outstanding....	13,086 52	
Interest certificates unclaimed.....	4,448 38	
Domestic creditors' certificates.....	44 67	
Total unfunded.....		113,994 57
Total funded and unfunded.....		<u><u>\$33,286,946 13</u></u>

Which is the amount of the State debt as before stated.

During the last eighteen years there has been carried upon the accounts of the Auditor General and State Treasurer, and in their several public statements, "depreciated funds unavailable" to the amount of forty-one thousand and thirty-two dollars. I recommend the appointment of a joint committee, by the Legislature, whose duty it shall be to examine the said depreciated and unavailable funds and dispose of them to the best advantage of the Treasury; or, if found to be worthless, to cancel and destroy them, so that the accounting officers may be relieved from the necessity and responsibility of annually accounting for them.

The large cash balance remaining in the Treasury on the 30th of November, 1867, has been used for the payment of the twenty-three million loan and for the liquidation of outstanding claims against the State. The investment of the funds, in one of the modes recommended in my last annual message, has, therefore, in a great measure been rendered unnecessary for the present. But in the event of large accumulations of money hereafter, the recommendations therein given are respectfully referred to, and renewed. Whenever there may be surplus funds in the Treasury, they can, with safety and benefit to the State, be employed in the purchase of its outstanding bonds, and in saving the interest on them which would accumulate prior to their maturity.

I regret to state that the last Legislature, although fully forewarned in regard to the insecurity and want of proper

and sufficient guards for the safe keeping of the money of the Commonwealth, failed to determine upon any mode by which the Treasury may be effectually guarded against the possibility of loss. The present Legislature has it in its power to secure for itself no ordinary honor, by the enactment of such a law, strong and efficient for the purpose indicated, and the enjoyment not only of the approbation, but the permanent gratitude of every citizen.

Notwithstanding the satisfactory reduction of the public indebtedness, as shown in the foregoing statements, an immense State debt is still upon us, requiring nearly two million of dollars to be collected to pay the interest accruing upon it annually. Its extinguishment at the earliest practicable period, not inconsistent with other public interests, is of the highest importance to every tax-payer. I cannot, therefore, too strongly urge the strictest economy in respect to every expenditure and the utmost retrenchment in every department.

Retrenchment is emphatically demanded by the people, in legislative expenditures, as well as in every other branch of the government. Their eyes are open to investigate every transaction, and by their ballots they are ready to strike down those who will not take effective action in favor of positive and radical reform. The money paid into the Treasury is the property of the people, every one of whom has a just right to hold his representatives to a strict accountability for every dollar that may be appropriated or expended.

I here renew the remarks made last year on the subject of "annual appropriations," to which you are respectfully referred. For four successive years the general appropriation bills have been signed on the eleventh day of April, being about the time of adjournment. The Governor has been forced either to sign the bills without proper investigation, notwithstanding any objections he may have; suspend the means to defray the operations of the government for the ensuing year; or call an extra session of the Legislature. I repeat that "it

is earnestly desired that the appropriation bill be taken up, discussed and passed at a sufficiently early period during the session to enable it to receive that thorough examination which its importance demands."

EDUCATION.

Common Schools.

The annual report of the Superintendent of Common Schools exhibits the condition of that department in a highly satisfactory manner. Within the State there are 1,918 school districts; 13,766 schools; 2,382 graded schools; 11,698 school directors; 73 county, city and borough superintendents; 16,771 teachers; and 800,515 pupils. The cost of tuition for the year was \$3,273,269 43; of building, purchasing and renting school houses, \$1,991,152 55; of contingencies, \$854,253 21. These three items, with expenditures for all other purposes connected therewith, amount to the aggregate sum of \$6,200,537 96.

These facts are exhibited with great satisfaction, as they show the average annual cost for the tuition of each pupil to be about seven dollars and seventy-four and a half cents. The average amount paid to each teacher is about \$195 17½ per annum. This, in my opinion, is too small a salary to secure the services of competent teachers; and I am fully justified in urging the necessity of increased compensation. It is but just, and it will have an elevating tendency not only upon the teachers but the manner in which their duties are performed.

Your attention is called to the fact that, notwithstanding the ample provision now made by law for the education of all persons between the ages of six and twenty-one years, large numbers of children, principally in our cities, do not attend any kind of school. Over twenty thousand of this class are found in Philadelphia, and the number in the State is estimated to be not less than seventy-five thousand. These children grow up in ignorance, frequently without employment,

and many of them contract habits of vice, which eventually cause them to be committed to houses of refuge, county prisons or penitentiaries. Humanity and sound public policy demand that something be done to remedy this growing evil, and also that of the neglected condition of considerable numbers of children in the alms and poor houses in many of the counties.

Four Normal Schools are now recognized as State institutions. The number of students attending them during the past year was 2,115, of whom eighty graduated. Two additional Normal Schools will probably go into operation during this year, one located at Bloomsburg, Columbia county, and the other at California, Washington county. The value of these institutions to the common school system cannot be estimated. Our schools are comparatively worthless without qualified teachers, and such teachers can most easily be obtained from the Normal institutes, where the art of teaching is made a specialty.

A meeting of the presidents and other authorities of a number of our principal colleges was held in Harrisburg last winter, the object of which was to bring about a closer union of all our educational institutions, and connect by a bond of sympathy, if not of organic structure, the common schools, high schools, academies and colleges. The establishment of such an educational department seems to be desirable.

There is no subject more worthy the deliberations of the Legislature than the promotion of the welfare of our common schools. They immediately underlie the characteristic features of our social system; they are fountains of that widespread intelligence, which, like a perennial vitality, pervades the nation, and are nurseries of that inquiring spirit to which we are indebted for the purity and preservation of our free institutions. In a republican government education is a sure basis of power and public prosperity. By it the people are taught to discern and estimate the value of their own rights; to distinguish between oppression and the exercise of lawful

authority; to discriminate between liberty and licentiousness; to preserve an inviolable respect for the laws, and exercise "eternal vigilance" against any encroachments upon them. It is admitted that a thoroughly educated people alone can be permanently free. By educational culture patriotism is expanded, and the principles, manners and sentiments of the whole people are assimilated. Many of the sources of jealousy and prejudice are diminished, social harmony largely increased, and the structure of our free and happy system of government cemented, strengthened and adorned.

Soldiers' Orphans' Schools.

In his report the Superintendent of Soldiers' Orphans' Schools exhibits the total expenditure for their support from December 1, 1867 to May 31, 1868, to be \$236,970 26; total number of pupils in the schools 3,431; average cost per pupil \$69 06½ for six months; and the average weekly expenses per pupil \$2 65½. The fiscal year of these schools, like that of the common schools, terminates by law on the last day of May of each year. The present report of the Superintendent, therefore, embraces only six months, and reports will be made up to the 31st day of May, annually, hereafter. The special appropriation of February 25, 1868, made in accordance with an estimate of the Superintendent, presented in my last annual message, exceeded the actual expenses \$6,004 74.

Notwithstanding every possible effort has been, and will continue to be made, to economize in the expenses of the present year, and to keep them as far as possible within the appropriation made by the last Legislature, it will readily be observed that there will be a deficit for the year ending May 31, 1869, the amount of which will be carefully ascertained and presented to the Legislature prior to the close of the present session.

The schools are all in good condition and improving, and their usefulness is daily becoming more manifest. They are among the most philanthropic institutions of the age, and

reflect high honor on the patriotism of the Legislature by which they have been so liberally endowed and upon our people by whom they are sustained. The children who are the recipients of their benefits are the offspring of brave men who voluntarily endangered their lives in the cause of their country in the most trying hour of its existence, and who, glowing with patriotic ardor, fought as bravely and as heroically as the noblest men in the world's history. Thousands of them who left their homes in the bloom of health and with the brightest hopes of manhood, now sleep in death, leaving their widows and little ones to the care of the country in whose service they fell, and which promised them its protection. Their children are the wards of this great Commonwealth; and too much praise cannot be awarded its people for the munificent and tender manner in which they have thus far, through their representatives, discharged the sacred and delicate trust.

Agricultural College.

Before the General Government appropriated public lands to the several States for the purpose of agricultural and military education and the mechanic arts, and prior to the time when Pennsylvania endowed the Agricultural College with her share of these lands, it was dependent wholly upon individual influence, without any other means for its support than its own earnings. History proves that seminaries of learning cannot be efficiently sustained by their own internal resources. The education of youth in the higher branches of knowledge seems to require the aid of philanthropic contributions. This institution had not these benefits to any adequate extent, and though the board of trustees bestowed upon it the most anxious care, their zeal and labor, combined with those of its friends, were not equal to a contest with the want of means. Hence the school did not command the confidence of farmers who were able to educate their sons, and who could not forget that the character of the college at-

tached to the character of its graduates; and that its failure would enter into the estimate which the world would place upon the education it bestowed. This feature has now been removed. The people, through their Legislature, have endowed this institution with the interest upon a fund of \$318,500 00, (invested in United States and Pennsylvania State six per cent. bonds,) payable to it semi-annually. Last year this interest amounted to \$25,642 78. The residue of the fund, \$43,886 50, has been appropriated, under the law, by the board of trustees, to the purchase of three model and experimental farms; one at the college, in Centre county, for \$8,000 00, one in Chester county for \$17,750 00, and one in Indiana county for \$18,136 50. The board has also recently re-organized the faculty and remodeled the course of studies, so as to adapt them to the wants of the agricultural community. This new order of things goes into operation at the commencement of the next session, and it is earnestly hoped will be a success. There is no profession, trade or calling in life, where the value of knowledge and the lights of science, and the practical application of both, are so potent for profitable results as in their adaptation to agricultural pursuits. And in this truly practical age it is well worthy of the consideration of parents, whether they should not avail themselves of the benefits of this institution, now so generously endowed by the State.

MILITARY.

From the report of the Adjutant, General you will learn the condition of the Military Department. The inactivity in military affairs after the cessation of hostilities and upon the return of peace, has in a great measure been dispelled, and an active martial spirit now prevails throughout the State; more particularly in Philadelphia, where, by a special legislative enactment, the minimum number of men required to form a company has been reduced, and a brigade fund is raised by a tax upon those who are not members of a military organi-

zation, but liable to the performance of military duty. I recommend the passage of a similar law for the whole State. For the sake of preserving the great interests involved, which include the lives, property and happiness of our people, this is presented to you as an important subject for your deliberation.

Every possible encouragement of volunteers has been afforded, and notwithstanding the difficulties indicated it has resulted as follows: In 1866 there were eight volunteer companies in the State; in 1867, thirty-eight; and in 1868, seventy-seven, and a number of others in preparation for organization.

By a reduction of the number for a company from that now required to an aggregate of fifty officers and men, companies would soon be numbered by the hundred, any of which could easily be recruited to the maximum number if required for active service. The State that always maintains the highest degree of preparation, accomplishes most and suffers least in the conflict of arms; and by being in readiness it often prevents improper encroachments upon her rights.

The Adjutant General presents a full and detailed statement of the disbursements in his department during the year ending November 30, 1868, with an estimate for the necessary appropriations for the current year, and also for such amounts as have been discovered to be due from the Transportation Department, contracted during the war.

State Agency.

The existence of the Military State Agency at Washington terminated on the 31st day of July last, at which time the appropriation for the payment of its expenses was exhausted. Much benefit resulted to many of the soldiers of our State, and their representatives, from this office, in which their just dues from the United States Government were collected and transmitted to them free of charge. In August, after the agency ceased to exist, there still remained a considerable number of unsettled claims, and as no one knew more about their condition, or could possibly obtain an earlier settlement

of them than the late agent, Col. Cook, I permitted him, upon his own offer, to close up the business of the office, and to transact any other business for the soldiers of Pennsylvania at *one-half the fees* that are charged by any other private agency in Washington City. This arrangement has thus far been carried out, and I am pleased to add, with very general satisfaction. All the books and papers of the agency will be transferred to the office of the Adjutant General.

REGISTRY LAW.

At the last session of the Legislature an act was passed known as the "Registry Law," the intention of which was to protect the ballot-box against corruption and fraudulent voting, to which it has for many years been disgracefully exposed. This law seems to have been so defective in some of its provisions as to have received the condemnation of a majority of the Supreme Court, by which it was pronounced "incongruous and unconstitutional." At the election immediately after this decision, it is alleged that frauds were perpetrated, surpassing in magnitude, perhaps, any that have been consummated heretofore in the history of the Commonwealth. These frauds have demonstrated the necessity of the passage of some law, or laws, that will accomplish the desired object, without being subject to the exceptionable features pointed out by the learned gentlemen who pronounced the opinion of the Supreme Bench.

There is no subject of such vital importance to the whole country as the sanctity of the ballot-box, and the protection of all citizens in their right to the elective franchise. This right is our proudest boast. It endows the American citizen with a freedom and a power not possessed by the subject of any other government. It makes him the peer of his fellow man, whatever may be his rank, station, or position in life. To be deprived of it by any means whatever, his boasted freedom becomes a sham—his especial and exalted prerogative a mockery and a farce. What avails it to the citizen that he

is entitled to a vote, if that vote is to be nullified by fraud? Such guards, then, should be thrown around the polls as will effectually, if possible, preserve them from the taint of a single illegal vote. Not only should false voting be severely punished, but false swearing to obtain a vote, be visited with the pains and penalties of perjury and with perpetual disfranchisement.

The people must be perfectly free to regulate their public business in their own way, and when the voice of the majority is fairly and clearly expressed all should bow to it as to the voice of God. They are the sovereign rulers, and their will must be the law of the land. Corruption of suffrage in a republican government is the deadliest crime that can be perpetrated; it is assassination of the sovereignty of the people, and will be followed by a despotism, the motive power of which will be money and perjury. And if this privilege be tampered with, sooner or later the sure and indignant popular condemnation will be rendered and condign punishment administered. All good citizens, of whatever political opinion, should lend their aid for the accomplishment of any and every measure that may tend to secure to each voter, not only his right to the elective franchise, but the assurance that his vote will not be rendered valueless by illegality, corruption or fraud.

Every proper facility for the naturalization of citizens of foreign birth should be afforded; but the Legislature, in its combined wisdom, can surely enact some mode to prevent the possibility of a single vote being cast upon spurious naturalization papers, and thus fully secure the purity of the elective franchise.

REVISION OF THE CIVIL CODE.

The commissioners appointed to codify the statute laws of the State have diligently prosecuted the work assigned them, and with every prospect that it will be fully completed within the time prescribed by the legislative resolutions of April 8.

1868; and in further compliance with them, they will cause to be laid before each branch of the General Assembly, at its present session, various titles of bills, with brief abstracts of the several sections of each, which have been matured.

INSURANCE DEPARTMENT.

Among the subjects of importance to the citizens of Pennsylvania is the establishment of an Insurance Department. Such departments are in successful operation in several neighboring States, by means of which the interests of insurers are guarded and promoted. So careful a supervision is had over the transactions of insurance companies that frauds are rendered almost impossible, and spurious companies can have no existence. The result of the protection thus afforded, is, that whilst foreign companies, thus protected, do immense business in this State, so little confidence is had in those of Pennsylvania that their business is almost entirely confined within the State limits; and lately some of them have withdrawn their agencies from other States, because no risks will be taken, in consequence of the inadequacy of the laws to afford protection to insurers. To this defect, moreover, may be attributed the operations of the number of worthless companies which have suddenly sprung up, without any solid basis, and as suddenly expired, to the injury of all whose confidence they obtained, and to the dishonor of the Commonwealth. Whilst Pennsylvania insurance companies transact little business outside of the State, it is alleged that foreign life insurance companies alone paid taxes last year on three million eight hundred thousand dollars of premiums received in Pennsylvania, a great proportion of which would be confined to this State if the same protection was given by law to its citizens as is afforded by other States. The report of the Insurance Department of New York, published in 1867, shows that the companies which were doing business in 1866, in Pennsylvania, and also in New York, had risks in force for more than five thousand million of dollars; and it is believed

that the risks in Pennsylvania companies, which, for want of a proper Insurance Department, can not be obtained, would swell the amount to over six thousand million.

In view of these facts, and of the costly experience of the people who have been imposed upon and defrauded by unsubstantial and ephemeral companies, I repeat the recommendation made to the Legislature at its last session, that an Insurance Department be established, and a superintendent appointed by law, who shall have supervision and control over all insurance companies allowed to transact business within the State, and annually publish, under oath, full reports of their transactions. The community is deeply interested in this matter, and demands the protection which can thus only be afforded.

NEW HOSPITAL FOR THE INSANE.

The commissioners appointed by an act of the last session "to establish an additional State Hospital for the Insane," have notified me that they will present a report of their proceedings sometime during the present month, which will be communicated when received.

DAMAGES BY RAIDS.

In accordance with an act of the last session, providing for an investigation and adjudication of the claims of citizens of several counties "whose property was destroyed, damaged or appropriated for the public service, and in the common defence in the war to suppress the rebellion," a commission of three competent gentlemen was appointed, who have performed the allotted duties, and will soon make a full report of their transactions.

PARIS EXPOSITION.

I have received through the Secretary of State of the United States, a bronze medal and diploma from the Imperial Commissioners for the best specimens of Pennsylvania anthracite coal exhibited at the Paris Exposition in 1867. These

tributes to an important branch of the internal resources of Pennsylvania have been assigned a place among other valuable relics in the Executive Chamber.

STATE COAT OF ARMS.

Diligent but unsuccessful search has been repeatedly made for the coat of arms of the State, and for the authority under which the present design was established. It seems that for years past no trace of either the original authority or design could anywhere be found, and it is recommended that the Legislature take the necessary steps to supply the omission, by such means as they in their wisdom shall determine.

STATE BENEFICIARIES.

A number of benevolent, charitable and other similar institutions annually receive appropriations from the State for their support. These appropriations, in most, if not in all cases, appear to have been adequate for the purposes to which it was intended they should be applied, and are as liberal as can reasonably be expected in the present condition of the Treasury of the State.

THE SUSQUEHANNA FISHERIES.

A preliminary report on the Susquehanna fisheries has been submitted by Col. James Worrall, Civil Engineer, Commissioner under the act of the Legislature in reference thereto. There are some facts which should be embodied in the report, but which can not be ascertained until early in January. Permission has therefore been granted to the Commissioner, at his request, to postpone the submission of his regular report until the earliest day practicable during the present month.

CATTLE DISEASE.

The prevalence of contagious or epidemic diseases among cattle and other animals has for some years past been a prolific source of anxiety and alarm among the producers and

consumers of meats in many of the States. It was therefore deemed important to call a convention of competent persons to take into consideration the means best calculated to remedy this great and growing evil. This convention, composed of three commissioners each from the fourteen States represented, appointed in accordance with an agreement by the several Governors, assembled at Springfield, Illinois, on the first of December last, and an account of their transactions is herewith presented.

Without legislative authority, but believing my action would be sanctioned by the people's representatives, I appointed Dr. Hiram Corson and Messrs. E. C. Humes and A. Boyd Hamilton, commissioners to represent Pennsylvania in that convention. These gentlemen freely gave their time and experience, and also incurred a pecuniary expense of about three hundred dollars, to defray which I recommend that an appropriation be made.

STATISTICS.

In view of the vast amount and great variety of the products of the State, a desk for the collection of statistics, relative to exports and imports, agriculture, manufactures, coal, iron, oil, lumber, &c., might, with propriety and profit be established. This could be accomplished by the employment of a competent clerk, under the supervision of one of the present heads of department, whose duty should be to collect and publish such facts as might tend to stimulate and increase our productive energies, instill new life and vigor into our manufacturing interests, and lead to more accurate knowledge of all our internal resources and the proper methods for their development. There is abundant space in the Capitol buildings to be appropriated as a receptacle for books, papers, mineralogical and geological specimens, and other articles that might be contributed appropriate to such a department and which in a few years would form an invaluable collection. Under legislative direction, the good results

would be almost incalculable, and are required by the progressive spirit of the age in which we live.

RESOLUTIONS OF THE VERMONT LEGISLATURE.

Your attention is called to the accompanying joint resolutions, passed at the last session of the Vermont Legislature, bearing a just tribute to the late Hon. Thaddeus Stevens. Joint resolutions from the same body are also sent you, which I regard as worthy of your consideration, relative to the act of Congress "to establish and protect National Cemeteries," and recommending "to the Legislature of the State of Pennsylvania the passage of an act empowering the board of commissioners having charge of the Soldiers' National Cemetery at Gettysburg, to transfer all the right, title, interest and care of said Soldiers' National Cemetery to the General Government, upon the completion of the same."

IN MEMORIAM.

It has been the misfortune of the State during the past year to lose by death two of her representatives in the Congress of the nation, Hon. Thaddeus Stevens, of the Ninth, and Hon. Darwin A. Finney, of the Twentieth District. Both were natives of Vermont, but in early life selected Pennsylvania for their home, and identified themselves with her interests, which they were chosen to guard in the Legislature; and the people of the Commonwealth will long remember with gratitude their faithful and efficient services. The first went down to his grave after a long life of public usefulness and in well matured honors; the other in the prime of manhood, which gave promise of a scarcely less brilliant career.

PARDONS.

The list of pardons issued during the past year will be found among the papers to which your attention is called. The principal reasons upon which they were based, and the names of some of the prominent petitioners, are given in

every case. That a few of these pardons may have been unworthily granted, through misrepresentations of relatives, friends, sympathizing neighbors and other interested parties, there is no doubt, but in the majority of instances it is certain that the facts not only justified but demanded Executive clemency.

The whole number of applications for pardons during the year has been sixteen hundred and twenty-three. The number of pardons granted in that time has been one hundred and six, which is a little over fifteen per cent. Of those pardoned about five per cent. have been again brought before the courts in consequence of their return to the commission of crime.

I am fully impressed with the weighty responsibility of the pardoning power, which ranks among the most difficult and embarrassing duties of the Executive office. Daily beset with powerful and pitiful importunities, as well as conflicting representations, from those in whom he should be enabled to place the fullest confidence, in order to avoid errors in the decision of any case, the Governor is compelled to take into consideration the action of the court before which the convict has been tried; the majesty of the law which may or may not have been violated; the condition of the prisoner; his temptation to err; the injury that may be inflicted upon his helpless and dependent relatives, and the arguments and appeals of citizens whose opinions and wishes he is bound to respect. And however just his decision and humane and generous his action, either in favor of or against the petitioner for clemency, he must expect to have his motives impugned, his name and character maligned, and to suffer virulent attacks for the exercise of this most important and merciful prerogative.

The pardon report will exhibit that many instances in which Executive clemency has been invoked, youthful prisoners, charged with their first offences, and those of a trivial character, have been the recipients. The object of punishment, in

all cases, should not be so much to inflict pain as to reform the sufferer and prevent the repetition of evil deeds. This fact is frequently lost sight of in imposing punishment upon criminals, especially when inexperienced youths are shut up in close cells with men hardened in crime, where its arts are daily taught and a romance thrown around its commission. Instead of being improved, they come forth at the expiration of their terms of sentence with the loss of self-respect, their moral sentiments blunted, and prepared to practice upon society the infamous lessons they have learned. Such punishments tend to increase rather than lessen the quantity of crime. When houses of correction and reformatories are constructed, or a proper system of confinement and prison discipline is adopted, there will be a material decrease of crime, and comparatively few cases to demand the exercise of the pardoning power.

COMMUTATION OF SENTENCES.

There are confined in the Philadelphia county prison the following named convicts, under sentence of death, for whose execution warrants have not been issued: Edward Ford, sentenced May 12, 1851; Jerry Dixon, May 30, 1863; Patrick Finnegan, February 9, 1863; Newton Champion, December 1, 1866, and Alfred Alexander and Hester Vaughn, July 3, 1868. Successive Governors, for satisfactory reasons, have declined to order the execution of these persons. The law requires that they shall be executed in accordance with the sentence, unconditionally pardoned, or held in close confinement in the county jail during life. The latter punishment, with the additional embitterment constantly preying upon the mind that a death warrant may at any moment be issued, is, perhaps, the severest that could be inflicted. It would be both just and merciful to give the Governor authority to commute the sentence of death in the above named cases to imprisonment, at labor, in the penitentiary, for such a term of years as the ameliorating circumstances may seem to justify

and demand. One of the convicts named has been imprisoned about eighteen years, and although it might not be advisable to set him at liberty, humanity and the ends of justice require the commutation of his sentence in the manner suggested.

CONCLUSION.

The foregoing subjects have been deemed of sufficient importance to submit at the present time for your information and consideration. Others may occur before the close of the session which may be worthy of special communications. It will be my constant care and determination to co-operate with you in the prosecution of any measures that may tend to preserve and increase the prosperity of the State and the happiness of its people, with the firm belief that your united wisdom will aim constantly to promote these desirable results.

Many of the events that have transpired since my last annual communication to the Legislature have been unusually interesting and significant. They have been infinitely more than political, and bear directly upon the great interests and most sacred destinies of the nation. Apart from the vindication of the principles of the party which sustained the government and the army during the contest for the preservation of the Union, and the election to the Presidency of the first soldier of the age, is the fact that the people have by triumphant majorities forever settled our controversy upon certain fundamental principles. Parties may and undoubtedly will arise upon other issues, but there can be no future struggle about slavery. Involuntary servitude, as a monopoly of labor, is forever destroyed. The monster obstacle to the national progress has been removed, and henceforward all the faculties of our people can be developed "without let or hinderance." The fair and exuberantly fertile States of the South, heretofore comparatively retrogressive and unproductive, relieved from this terrible curse, with the influx of northern immigration and capital, will soon become the rivals of their northern sister States in all the arts of peace, and addi-

tional markets will be developed in which to exchange the varied products of the heretofore hostile sections.

Hardly less magical has been the effect upon other nations. General Grant's election has confirmed the hopes of our nation's friends, and the fears of its foes in the Old World. It supplements and seals the verdict of arms and the progress of republican principles. The downfall of the rebellion in the United States was quickly followed by the great civil revolution in England; the peaceful expulsion of the last of the Bourbons from Spain; the unrest of Cuba; the concession of more liberal principles in Germany; and the necessary acquiescence of the Emperor of the French in the republican sentiments he fears even as he has betrayed them. What are these but the echoes of the dire catastrophe that has overwhelmed aristocracy in the United States?

Notwithstanding the importance of the issues involved in the late canvass, and the bitterness of feeling as well as the earnestness with which it was conducted, its termination has happily met with the acquiescence of nearly the whole people; and at no time in the history of the nation has there been opened before us a brighter prospect of continued peace and increasing prosperity; and we have no greater cause for universal congratulation than that no differences of opinion now exist that can materially mar our national happiness, retard our onward progress, or threaten the peace or perpetuity of our government.

In conclusion, permit me to remark that the voice of Pennsylvania, as well as that of a majority of the States, has at the ballot-box proclaimed to the world that all our national indebtedness, no matter how heavy the burden, will be paid according to "the letter and spirit" of the agreements made and entered into at the time the debt was contracted; and that in this as in all other respects our individual and national honor "must and shall be preserved;" that we are determined by all honorable means in our power to secure ample encouragement and protection to each and every branch of

Home Industry, and every manly enterprise that contributes capital, labor, skill and industry to our material wealth, social advancement and political tranquillity ; that for all our citizens, the children of the Commonwealth, being also citizens of the United States, we demand the fullest protection, in their persons, their property, and in all their rights and privileges wherever they may go within the national jurisdiction or in foreign lands ; and that whilst our financial policy shall be such as to maintain untrammelled our national credit, it is to be hoped that it may at the same time, be such as will permit and sanction the construction of the great railways now in progress and stretching out their giant arms to grasp the mighty commerce of the Pacific, to develop the untold resources of wealth in the intervening territories, and to connect the most distant portions of our country in a common union, not only with iron bands, but by the still stronger and more indissoluble ties of a common interest and a common brotherhood.

To lessen the burdens of the people, and to keep the expenses of the State as nearly as possible within the limits of its absolute necessities, will always be among the chief objects of wise and just legislation. Let us, then, with a due sense of our obligations and high responsibilities, endeavor so to discharge our duties as to secure the greatest good of the community and merit the approbation of Him by whom our Commonwealth has been so abundantly blessed.

JNO. W. GEARY.

EXECUTIVE CHAMBER, }
Harrisburg, January 6, 1869. }

PARDON REPORT.

For the information of the Legislature and the people of Pennsylvania, the following report of pardons, granted in 1868, is respectfully submitted:

1. JAMES M'CONNELL. Convicted in Chester county, April 30, 1867, of "*Forgery*," and sentenced to fifteen months in county prison. Pardoned Jan. 9, 1868, on the recommendations of the president judge, district attorney, prosecutor in the case, eleven of the jurors, the keeper and inspectors of the prison, Hon. Wilmer Worthington, A. Gibbons, and many others; for the reasons that many mitigating circumstances surrounded the case; the prisoner's guilt was considered doubtful; he is respectably connected, and always bore a good character; is advanced in years, and suffering bodily infirmities which threaten his life; and the ends of justice have been answered by the punishment already inflicted. Time remitted, seven months.

2. EDWARD W. MASSON. Philadelphia, April 15, 1867. "*Carrying a Concealed Deadly Weapon*." One year in county prison. Pardoned Jan. 9. Recommended by fourteen of the grand jurors, the inspectors and keeper of the prison, Gen. H. G. Sickel, John Q. Guinode, H. C. Oram, J. R. Massey, F. R. Gatchel, Chas. Prior, and many others; for the reasons, that the offence was committed under circumstances which greatly alleviate its criminality; that Masson is a husband and father, and has always borne a good character; and that his pardon would be an act of justice and humanity. Three months remitted.

3. PARVIN EVES and GEORGE W. M'EWEN. Indicted in Columbia county, Dec. 2, 1867, on the charge of "*Rejecting the Vote of a Qualified Elector*." Pardoned Jan. 14. Recommended by Chas. W. Snyder, J. W. Chamberlin, Ephraim P. Lutz, J. B. Robinson, Jesse Shuman, Samuel Knorr, C. F. Knapp, and many others, who state that the defendants were judges of election in Greenwood township, and acted in pursuance of an act of the Legislature disfranchising deserters; and

that they deserve not only protection but praise for their patriotism and fidelity in fulfilling their obligations as good citizens.

4. ANDREW YEAGER. Lancaster county, Nov. 22, 1865. "*Larceny.*" Twelve years in county jail and a fine of twenty-two dollars. Pardoned Jan. 15. Recommended by all the jurors, the prosecutors and prison inspectors, D. W. Patterson, George W. Brubaker, John A. Heistand, Emlen Franklin, John H. Pearsol, J. B. Amwake, and many others. Reasons: The offences charged against him were of a trivial character, and mostly committed by another person; his previous character was good; had a large family to support, and was in impaired health; and the punishment already suffered was a sufficient atonement.

5. DANIEL H. PAULHAMUS. Clearfield county, Jan. 16, 1868. "*Perjury.*" One hundred dollars fine and nine months in the Western Penitentiary. Pardoned Jan. 22. Recommended by district attorney W. M. McCullough, H. Bucher Swope, Daniel Livingston, M. A. Frank, S. J. Row, John Boynton, Richard Massop, William Radebaugh, and many others. Reasons: The evidence did not warrant conviction; the prisoner had served and was wounded in the late war, and rendered other valuable service to the government; sustained a good character; has a family to support, and justice did not demand the proposed punishment.

6. WILLIAM VANFOSSEN and JAMES LEONARD. Montgomery county, Feb. 26, 1867. "*Larceny.*" One year and six months in county prison. Pardoned Jan. 23. Recommended by the judge of the court, district attorney and prosecutor; John Harris, Thomas D. Stiles, William H. Preston, David Wallace, John G. Hopkins, William Hutton, George W. Hamersly, John Wood, Daniel Arbuckle, and many others. Reasons: The convicts are mere boys; they pleaded guilty to this their first offence; their parents are highly respectable, one of them being a cripple; their assistance in both cases is needed by their families; they are sincerely penitent; and were already sufficiently punished. Six months remitted.

7. COMMODORE HENDRICKS. Schuylkill county, Feb. 5, 1867. "*Larceny.*" Two years and six months in county prison. Pardoned Jan. 24. Recommended by the district attorney, prosecutor, and all the jurors; Hon. W. M. Randall, F. Zulick, Isaac Ward, M. B. Koons, Jas. K. Helmes, H. H. Coxe, William Koller, Charles W. Boyer, John C. Duncan, Jacob Jones, and many others. Reasons: Hendricks had settled with the prosecutor and paid the costs; was only a party to the

offence, the principals having escaped; and had always borne a good character.

8. GEORGE COLER, *alias* JACOB ZOLL. Montgomery county, Aug. 20, 1867. "*Passing Counterfeit Money.*" One year in county prison. Pardoned Jan. 27. Recommended by William M. Bull, William Frishmuth, Isaac M'Bride, Jos. S. Allen, John L. Frester, C. B. Henry, Jno. R. Longstreth, George Bellis, James Altemus, and many others. Reasons: The five dollar counterfeit note was passed by Coler in ignorance of its character, and upon learning the fact, he redeemed it with a good one; he is an honest and industrious man, and always sustained a good reputation. Seven months remitted.

9. JOHN D. BARNITZ. Clinton county, Sept. 10, 1867. "*Larceny.*" One year in Eastern Penitentiary. Pardoned Feb. 1. Recommended by the sheriff, district attorney, register, prothonotary, treasurer, and commissioners of Clinton county; H. F. Beardsley, L. A. Mackey, Jesse Merrill, E. P. M'Cormick, G. O. Deise, Luke Moyer, and very many others. Reasons: Was persuaded when intoxicated by evil disposed persons to commit an act not in accordance with his previous life; always sustained a good character; was deeply penitent, and the ends of justice had been met. Six months remitted.

10. SARAH DAVIDSON. Elk county, Nov. 7, 1867. "*Larceny.*" One hundred dollars fine and ten months in county jail. Pardoned Feb. 3. Recommended by the president and associate judges, district attorney, physician and keeper of the prison, Henry Souther, John G. Hall, Jos. W. Taylor, Louis Vollmer, and others, who represent that the prisoner has a child so young as to need her attention and was with her in prison; was about to give birth to another; was suffering extreme physical debility; and common humanity required her immediate release. Seven months remitted.

11. HENRY AHERN. Philadelphia, April 11, 1867. "*Larceny.*" Four years in penitentiary and one thousand dollars fine. Pardoned Feb. 5. Recommended by Hon. Jacob E. Ridgway, prosecutor in the case; Hons. W. W. Watt, Samuel Josephs, Wm. M'Candless, Jas. V. Stokes, D. A. Nagle; Ald. Wm. M'Mullen, Ald. J. W. Boileau, A. J. Diamond, John G. Butler, J. B. Beck, W. K. Gilbert, R. C. Tittermary, Wm. V. M'Grath, and many others. Reasons: The sentence was unduly severe; the prisoner was penitent and anxious for an opportunity to redeem his character; and having served out nearly a year of his sentence the ends of justice had been answered.

12. JAMES MULDOON. Allegheny county, July 2, 1867. "*Assault and Battery.*" One year in Western Penitentiary and fifty dollars fine. Pardoned Feb. 5. Recommended by Hons. Jas. L. Graham, Russell Errett, David L. Smith, A. Miller, Wm. R. Ford, Geo. Wilson, Augustus Beckert, Thos. M. Marshall, Wm. E. Moorehead, S. H. Watson, W. W. Wallace, and many others. Reasons: There was a great doubt of Muldoon's guilt; he was in declining health; is a young man with qualifications and disposition for usefulness; and has already been sufficiently punished. Five months remitted.

13. WM. KRAFT. Philadelphia, Dec. 23, 1859. "*Arson.*" Ten years in Eastern Penitentiary. Pardoned Feb. 6. Recommended by Hon. Leonard Myers, Rev. Wm. J. Mann, Hon. James Subers, Hon. Wilson Hensey, Gen. Louis Wagner, Asher Leidy, Albert Berman, and five hundred more citizens of Philadelphia. Reasons: During his long confinement the prisoner's conduct has been such as to inspire confidence in his repentance, and that the remainder of his life will be devoted to usefulness; that he has been employed as librarian in the prison, serving in a manner to elicit general approbation; and having served more than eight years has sufficiently atoned for his crime.

14. MARGARET MILLER. Cumberland county, Jan. 16, 1868. "*Selling Liquor on Sunday.*" Sixty days' imprisonment and fifty dollars fine. Pardoned Feb. 10. Recommended by Rev. D. Stock, John Lee, James A. Dunbar, H. Newsham, J. M. Walker, R. M'Cartney, M. Holcolm, W. S. Woods, and more than a hundred other citizens. Reasons: Margaret Miller is a widow dependent upon her own labor for the support of herself and family and was too sick to endure the confinement of a prison cell. Thirty-five days remitted.

15. JOHN CASH and MICHAEL HALL. Allegheny county, Sept. 7, 1866. "*Assault and Battery.*" Each to pay a fine of five hundred dollars, and serve five years in the Western Penitentiary. Pardoned Feb. 10. Recommended by W. O. Moorehead, prosecutor; R. S. Morrison, O. T. Ewing, John Morrison, Simon Drum, John A. Scott, Arthur Helson, Horatio K. Tyler, J. S. Edgar, and many others. Reasons: The girl upon whom the alleged assault was made had become the wife of one of the parties convicted; the evidence on trial was not sufficient to warrant a conviction; and the punishment already undergone was sufficient.

16. BARNEY GALLAGHER. Allegheny county, Oct. 6, 1864. "*Felonious Assault.*" Four years in Western Penitentiary. Pardoned Feb.

10. Recommended by district attorneys John M. Kirkpatrick and John W. Riddell, Jas. Lowry, Jr., Hons. Jas. L. Graham, John P. Glass, T. J. Bingham, Thomas M. Marshall, and many others. Reasons: Serious doubts existed as to any felonious intent; the prisoner is the only support of a widowed mother; had sustained a good character; and the three years and four months' imprisonment suffered was sufficient. Eight months remitted.

17. GEO. W. FISHER. Northampton county, April 25, 1867. "*Larceny*." One year in Eastern Penitentiary. Pardoned Feb. 11. Recommended by Hon. J. W. Maynard, president judge; C. G. Boitel, district attorney; the sheriff, prosecutor and several jurors; John A. Getz, B. Godshalk, H. W. Gray, C. C. Overbeck, William A. Husband, and others. Reasons: Fisher is a young man; previous to the offence charged he had sustained an excellent reputation; and the ends of justice had been met by the punishment inflicted. Two months remitted.

18. CHARLES ANDRESS. Philadelphia, May 13, 1867. "*Larceny*." Two years in county prison. Pardoned Feb. 13. Recommended by Hon. Alex. Adaire, George Sheppard, prosecutor, and others, for the reason that Andress is a mere boy, and having served nine months of his term of sentence the ends of justice had been answered.

19. WILLIAM MEESER. Philadelphia, Dec. 12, 1867. "*Libel*." One thousand dollars fine and nine months in county prison. Pardoned Feb. 13. Recommended by the publishers and editors of the newspaper press of Philadelphia; Joseph R. Lyndell, J. D. M'Kee, Henry H. Bingham, G. C. Franciscus, G. Percy English, Sam'l M. Bines, Jas. T. Graff, Thos. R. Callender, and more than fifteen hundred other citizens of Philadelphia. Reasons: Meeser did not write the libellous article, and it obtained a place in his paper without his knowledge; he disavowed any intention to libel the party aggrieved; great distress had fallen upon his family because of the sentence; the character of the prosecutor had been fully vindicated by the verdict; and the ends of justice served. Seven months remitted.

20. THOMAS DONNELLY. Philadelphia, April 26, 1867. "*Larceny*." Eighteen months in county prison. Pardoned Feb. 15. Recommended by district attorney, Wm. B. Mann; James Lynd, city solicitor; Egbert K. Nicholls and A. A. Grace, assistant solicitors; Erastus Poulson, Hon. Leonard Myers, Wm. D. Franks, Rob't T. Gill, Gen. Robert L. Bodine, Chas. Sines, Frank C. Knipe, and many more. Reasons: The larceny was for the small sum of thirteen dollars; the prisoner is a

young man with a wife and three children depending upon him; before conviction he always sustained a good character. Nine months remitted.

21. SAMUEL B. BOTT. Philadelphia, May 20, 1867. "*Perjury.*" Three years in Eastern Penitentiary. Pardoned Feb. 19. Recommended by Hon. F. Carroll Brewster, Rev. G. D. Carrow, James R. Souder, Joseph N. Hackney, John W. Dukree, and others. Reasons: The prisoner was a tool of evil disposed persons; he confessed his guilt and exhibited a penitent spirit; had previously sustained a good character; one of his children was lying a corpse, two others were dangerously ill, and his own health seriously impaired.

22. WILLIAM RYAN. Allegheny county, Dec. 2, 1865. "*Manslaughter.*" Five years and three months in Western Penitentiary. Pardoned Feb. 20. Recommended by Jonathan Brauff, R. M'Eldowny, R. W. Roberts, William Lemon, David Aiken, Hon. T. J. Bigham, Francis Cornell, and over three hundred more citizens. Reasons: Ryan had always been a peaceable, sober, industrious and honest young man, and has aged parents to support; and having suffered two years imprisonment the ends of justice were met.

23. MICHAEL SHANNON. Lycoming county, Nov. 19, 1867. "*Attempt to produce Abortion.*" Eighteen months in Eastern Penitentiary. Pardoned Feb. 20. Recommended by Hons. Geo. P. Love and J. Smith, associate judges, Hon. J. B. Beck, G. W. Youngman, W. F. Logan, A. P. Nichols, John Logue, and many others, who affirm that Shannon was convicted on evidence unworthy of credence; the statements of the alleged grieved party were contradictory, and have been overthrown by confessions since made; and the prosecution was instituted from unworthy motives. Fifteen months remitted.

24. ANDREW HAMILTON. Philadelphia, April 26, 1867. "*Assault and Battery.*" Five years in Eastern Penitentiary and one thousand dollars fine. Pardoned Feb. 20. Recommended by Robert Patterson, Wm. R. Leeds, Wm. H. Kemble, Jas. N. Kerns, Jas. E. Dingee, Charles A. Miller, Hiram Horter, Jas. V. Stokes, Jacob E. Ridgway, Daniel Dougherty, Gideon Clark, David Foy, E. W. Davis, M. C. Hong, James Holgate, and many more. Reasons: Hamilton did not commit the offence charged; was absent from the scene of the crime at the time of its commission; had always sustained a good character, and justice demanded his release.

25. GEO. BORING. Clearfield county, Jan. 9, 1866. "*Robbery.*" West-

ern Penitentiary for two years and ten months. Pardoned Feb. 21. Recommended by district attorney Wm. M. M'Cullough, State Senators Wm. A. Wallace and Harry White, several jurors, B. F. Douglass, Joshua Davis, A. B. Wilson, Hugh Cameron, W. D. Brandt, and many others. Reasons: Boring was very young and the instrument of more experienced parties; had made full atonement; and having suffered imprisonment for more than two years the ends of justice had been met. Eight months remitted.

26. MARY E. WELTY. Westmoreland county, August, 1867. "*Assault.*" One thousand dollars fine and one year in Western Penitentiary. Pardoned Feb. 22. Recommended by Henry D. Foster, Jas. A. Hunter, J. R. M'Affee, J. J. Hazlett, H. P. Laird, J. F. Woods, A. Jay Walker, J. W. Blair, E. J. Keenan, Wm. S. Brown, and many more. Reasons: The verdict was not justified by the evidence, the alleged grieved party being herself the aggressor, and there were gross discrepancies in her testimony.

27. JOHN H. CHILTON. Dauphin county, Aug. 28, 1867. "*Larceny.*" Six months in county prison. Pardoned Feb. 27, on recommendations of the president judge, district attorney, and prothonotary of Dauphin county; A. J. Herr, Wm. Mitchell, Robert L. Muench, B. F. Etter, Eugene Snyder, and others. Reasons: Chilton's mother died on the 25th Sept., and the prisoner having but five days to serve, humanity demanded his release to attend her funeral.

28. ISAAC SHAFER. Bedford county, Sept. 5, 1867. "*Larceny.*" Five years in Western Penitentiary. Pardoned Feb. 27. Recommended by the president judge and district attorney, Hon. John Cessna, E. F. Kerr, A. D. Koontz, S. M. Barclay, A. S. Russell, O. E. Shannon, and many more. Reasons: Shafer was seventy-five years old, and in declining health; a monomaniac on the subject of horse stealing; and promised, if released, to expose an extensive gang of horse thieves, and make other important disclosures.

29. SAMUEL LEACHY. Lancaster county, Jan. 2, 1868. "*Bigamy.*" Ten dollars fine and three months imprisonment. Pardoned Mar. 3. Recommended by Hon. J. W. Fisher, Hon. Thos. E. Franklin, Geo. W. Brubaker, John Strohm, John A. Hiestand, E. M. Cline, O. J. Dickey, and others. Reasons: Leachy was under the impression that he was legally separated from his first wife, who refused to live with him after his return from the war, where he had faithfully served for three years in the Union army; he is a man of good moral character and industri-

ous habits, and the ends of justice do not require his further punishment. One month remitted.

30. SUSAN GEIBLE. Clinton county, Feb. 15, 1868. "*Keeping a Bawdy House.*" Six months in county prison and fifty dollars fine. Pardoned March 10. Recommended by district attorney, attorney for prosecution, the prothonotary and register, Wm. P. Furey, G. W. Bachelor, C. A. Mayer, S. R. Peale, J. S. Baker, Martin Walker, F. F. Flynn, Dr. J. C. Richards, Daniel Warner, and many others. Reasons: The prosecution was brought about maliciously, by young men of notoriously bad character; no evidence was produced to justify the verdict; and she, the prisoner, had two small children, one of them deaf and dumb, who were in need of her maternal care. Five months remitted.

31. JOHN CAMPBELL, JR. Delaware county, Aug. 6, 1867. "*Assault and Battery.*" Two years and nine months in county prison. Pardoned Mar. 11. Recommended by the president and associate judges, district attorney, register, prothonotary and clerk of court, inspector and physician of the prison, Wayne M'Veigh, Esq., and others, who urge his immediate release because the prisoner's confinement has caused the loss of one of his eyes, and was likely to cause the loss of the other, thus rendering him totally blind, and that he was so ill that his liberation was necessary for the preservation of his life.

32. CHARLES J. DOBBINS. Schuylkill county, March 4, 1868. "*Assault and Battery.*" Pardoned Mar. 14, on recommendation from Hon. Francis W. Hughes, Zaccur Boyer, Seth W. Greer, and others, because he was not guilty of the offences charged, and for which he was convicted, and that the conviction was owing to misapprehension of the law as applied to the case.

33. PETER KEIL. Allegheny county, Feb. 4, 1868. "*Seduction.*" Five hundred dollars fine, and fifteen months in Western Penitentiary. Pardoned Mar. 14. Recommended by Hon. Simon Cameron, Russell Errett, Augustus Beckert, David L. Smith, Wm. R. Ford, Geo. Wilson, Samuel M'Camant, G. S. Westlake, John G. Brown, Thos. D. Patterson, and many more. Reasons: The prosecutrix and her mother were frequently admonished not to receive the visits of Keil, who was a minor, and younger than the prosecutrix, who was equally guilty of the criminal intimacy alleged; Keil offered to make reparation by marriage, but obstacles were purposely thrown in the way; he belongs to a respectable family and had always sustained a good reputation; and the execution of the sentence was not necessary to the ends of justice.

34. CHARLES GILBERT. Montgomery county, May, 1866. "*Larceny.*" Four years in the county prison. Pardoned Mar. 17. Recommended by the president and associate judges, district attorney, board of prison inspectors, and many more citizens, who allege that the prisoner was dying with consumption, and that his continued confinement would hasten his death. Gilbert died a few days after his liberation.

35. CHARLES B. STEIN. Allegheny county, Oct. 23, 1866. "*Murder in the Second Degree.*" Western Penitentiary for twelve years. Pardoned Mar. 17. Recommended by the jury, A. L. Pearson, Samuel B. Cluley, Thomas M. Marshall, A. M. Brown, J. S. Negley, W. O. Moreland, N. Ballentine, Jos. Shoeb, F. H. Collier, and many others. Reasons: The prisoner acted in defence of himself and wife; the mitigating circumstances should have secured him an acquittal; he lost a leg in the service of his country; is a peaceably disposed and upright citizen, and by his imprisonment his family have been reduced to want.

36. JAMES RILEY. Philadelphia, Feb. 7, 1866. "*Burglary.*" Six years and ten days in the Eastern Penitentiary. Pardoned Mar. 18. Recommended by Hon. Jas. Subers, Col. Geo. P. M'Lean, Major J. J. Gould, Gen. Louis Wagner, Rev. C. W. Clothier, Dr. Samuel Brown, John M. M'Grath, Theophilus Hartley, and many others. Reasons: Riley was the dupe of older and designing men who escaped punishment; had previously borne a good character; and was still young and well disposed.

37. JOHN CAMPBELL. Philadelphia, August 23, 1866. "*Robbery.*" Five years in Eastern Penitentiary. Pardoned Mar. 19. Recommended by the prosecutor and jurors, Wm. M'Candless, W. W. Watt, Michael Mullen, Wm. B. Hood, Chas. H. T. Collis, Samuel Josephs, Jas. Donnelly, Geo. W. Ford, Jacob S. Ridgway, F. W. Henderson, and many more. Reasons: Campbell took no part in the crime alleged, but happened to be in company with the guilty parties; his health is so greatly impaired that he cannot survive longer confinement, had always borne a good character, and has a family to support.

38. CORNELIUS BURNS. Allegheny county, Jan. 5, 1866. "*Assault and Battery.*" Three years and six months in Western Penitentiary. Pardoned Mar. 26. Recommended by Hon. Thomas Mellon, associate judge; Mayor Jas. Blackmore, Jas. S. Sutherland, Alex. Hunter, W. Phillips, John Cowle, John A. Strain, and many others, who state that Burns was convicted on circumstantial and doubtful evidence; that a

number of affidavits were presented attesting his innocence; and that he is the only support of a widowed mother.

39. JAMES KEY. Bedford county, Feb. 16, 1867. "*Assault and Battery.*" Three years and one month in Western Penitentiary. Pardoned Mar. 26, upon recommendations from Hon. John Cessna, A. L. Russell, J. Mower, Thomas Hughes, F. Benedict, M. A. Points, John Harris, and many others, who aver that the testimony did not justify the conviction; the prisoner had previously sustained a good character; and having suffered an imprisonment of more than a year the ends of justice had been achieved.

40. GEORGE MASON. Philadelphia, Feb. 21, 1867. "*Assault and Battery.*" Three years in county prison. Pardoned March 25. Recommended by many reputable citizens, who set forth that the offence of Mason consisted simply in resisting an officer, who attempted to arrest him without authority of law, whilst he was quietly walking the streets; that he plead guilty to this charge; and the imprisonment of more than one year already suffered was a sufficient atonement.

41. HARVEY K. MYERS. Philadelphia, Oct. 28, 1867. "*Bigamy.*" One year in county prison. Pardoned Mar. 27. Recommended by H. G. Sickels, Thos. A. Barlow, Geo. Shisler, Luke V. Sutphin, E. Ward, Geo. W. Schaffer, Wm. White Smith, John F. Hunce, Richard Stokes, and over a hundred more, who allege that Myers and his wife were living separately by mutual agreement for several years; that his second marriage was more the result of error than criminality; that he had always borne a good character, and had been sufficiently punished.

42. EDWARD PEACOCK. Philadelphia, May 13, 1867. "*Larceny.*" Two years in county prison. Pardoned March 27. Recommended by George Shepherd, the prosecutor; the prison inspectors; Dr. John K. Knorr, Thomas Watson, and others, who affirm that Peacock was a mere youth, and committed the crime through the influence of bad company; that he is of weak intellect; is sincerely repentant; and his case did not require the full execution of the sentence.

43. THOS. NAULTY. Philadelphia, Dec. 24, 1866. "*Riot.*" Eighteen months in county prison. Pardoned April 4. Recommended by Hons. James Subers, Geo. A. Quigley, and ten other members of the State Legislature, a number of citizens and Hon. Andrew G. Curtin, late Governor. Reasons: Naulty had always borne a good character, and having suffered fifteen months' imprisonment the ends of justice had been met. Two months remitted.

44. THOMAS W. STEVENS. Bucks county, Sept. 12, 1865. "*Burglary.*" Six years in Eastern Penitentiary. Pardoned April 7. Recommended by Hon. Alexander Henry, Hon. Richard Vaux, and Dr. H. M. Clapp, for the reasons that the prisoner was in a declining stage of tubercular consumption, and could not long survive, and having suffered two and a half years' imprisonment, he had been sufficiently punished.

45. CHARLES E. M'BRIDE. Erie county, Nov. 8, 1865. "*Horse Stealing.*" Fine of fifty dollars, and three years in the Western Penitentiary. Pardoned April 8. Recommended by the president judge, district attorney, and prosecutor; State Representatives and Senators, John D. Stranahan, Geo. F. Rea, E. W. Davis, Geo. Connell, Thomas Nicholson, A. P. Duncan, David L. Smith, Geo. T. Thorn, W. W. Watt, and others; Ex-Governor Andrew G. Curtin and very many more. Reasons: M'Bride was guilty of no criminal intent; he returned the property alleged to have been stolen; plead guilty by advice of counsel; good conduct while in confinement; and having been in prison two years and a half the ends of justice had been met. Six months remitted.

46. WILLIAM SHARP. Washington county, May 19, 1863. "*Highway Robbery.*" Eight years in Western Penitentiary. Pardoned April 11. Recommended by Hons. Jas. L. Graham, R. Errett, T. J. Bigham, Thomas M. Marshall, and John M. Kirkpatrick, J. A. Courson, W. E. Harrison, Geo. Wilson, and many more. Reasons: Sharp is a mere boy, and was led to the commission of crime by older and more vicious associates; is the only son of a widowed, respectable and greatly afflicted mother; is deeply penitent and in rapidly declining health; and had been sufficiently punished by an imprisonment of more than five years.

47. JOHN CONNER. Philadelphia, Jan. 8, 1866. "*Manslaughter.*" Eleven years and six months in Eastern Penitentiary. Pardoned April 14. Recommended by Wm. B. Mann, district attorney; Hons. George Connell, E. W. Davis, Jas. N. Kerns, J. Nichols, Wm. D. Kelley, W. W. Watt, Geo. De Haven, and J. Donohugh, Benj. K. M'Clurg, Chas. H. T. Collis, Thos. L. Ellis, and many others, who allege that the crime was committed in a drunken conflict; that Conner had previously sustained a good character, was sincerely penitent, and in failing health.

48. EDWARD F. DRUMMELL. Philadelphia, Jan. 3, 1868. "*Receiving Stolen Goods.*" One year in county prison. Pardoned April 15. Recommended by the jurors; A. G. Feather, H. W. Gray, Elijah Thomas, B. F. Mott, Chas. O. Swope, John Swartz, John Meek, Peter Lyle, Jno.

G. Butler, Jos. N. Croke, and many others. Reasons: Since the conviction of Drummell facts were developed proving his innocence; he is a mere youth; had always sustained a good character, and justice demanded his release. Eight months and a half remitted.

49. MATTHEW BRADY. Philadelphia, Feb. 16, 1868. "*Larceny*." Four months in county prison. Pardoned April 15. Recommended by Michael Mullen, D. E. Nice, P. G. Meek, Henry Brobst, R. L. Jones, Thos. Mullen, C. F. Kleckner, David Foy, Samuel Josephs, James V. Stokes, and twenty other members of the Legislature, and many citizens of Philadelphia; who assert that Brady is a mere boy, and the offence was his first; his mother depends upon him for support, and justice did not require his longer imprisonment. Two months remitted.

50. RILEY WILSON. Huntingdon county, April 11, 1866. "*Larceny*." Two and a half years in Western Penitentiary. Pardoned April 21. Recommended by the president judge and district attorney; the members of the Senate and House of Representatives of his district; J. S. Stewart, P. M. Lytle, D. M'Murtrie, Samuel F. Brown, Jno. Carmon, and others, who state that the articles alleged to have been stolen were of little value; that Wilson was a mere boy, led astray by bad company; had been in prison six months before his trial; was sincerely penitent; had behaved well during his confinement, and his release might make of him a good and useful citizen. Six months remitted.

51. JOSEPH MALLOY and JAMES KEATING. Philadelphia, July 15, 1867. "*Larceny*." One year in county prison. Pardoned April 24. Recommended by Hon. D. A. Nagle, R. J. Linderman, C. Burnett, W. M. Randall, J. D. Davis, A. Hiestand Glatz, and others, who state that Malloy and Keating are mere boys; the value of the property stolen was less than five dollars; they are deeply penitent, and had been sufficiently punished. Two and a half months remitted.

52. PARVIN EVES and VINCENT ERWIN, indicted in Columbia county, and bound over to answer at the court of quarter sessions, in May 1868, for rejecting, as election officers, an alleged deserter's vote. Pardoned April 28, upon recommendations from Palemon John, Samuel Knorr, L. F. Sharpless, E. P. Lutz, D. A. Beckley, M. Whitmoyer, C. F. Knapp, E. Jacoby, J. B. Robison, and others, for the reasons that the person whose vote was rejected was known to be a deserter from the U. S. Army, and that Messrs. Eves and Erwin acted conscientiously

and in the supposed discharge of their duty as election officers, in accordance with a law of the State.

53. LUDWIG FRITZ. Lebanon county, Nov. 6, 1867. "*Larceny.*" Eighteen months in Eastern Penitentiary. Pardoned May 7. Recommended by the district attorney, recorder, register, clerk of orphans' court, State Senator and members of the House of Representatives of Lebanon county, Geo. F. Reinhard, H. Shirk, W. H. H. Einbick, Ignatius Gleiser, and many others, who represent that since the conviction of Fritz facts had been developed showing him entirely guiltless of the alleged crime.

54. PATRICK H. MURRAY and JAMES MURRAY. Lehigh county, April 9, 1868. "*Assault and Battery.*" The former to ninety and the latter to sixty days in county prison. Pardoned May 8. Recommended by Wm. Fry, Reuben Guth, E. G. Moore, Wm. H. Souden, A. J. Martin, and others, who assert their belief that the prisoners' offence consisted only in their being present at the time of the alleged outrage; the former is seriously afflicted with a pulmonary disease, and the latter has an aged mother and several brothers and sisters to support, and the ends of justice did not demand the infliction of the sentence.

55. FRANK BAIERLE. Philadelphia, Feb. 21, 1868. "*Receiving Stolen Goods.*" Fine of one hundred dollars, and six months in county prison. Pardoned May 11. Recommended by the jurors; Wm. S. Perot, Joseph Boyer, Francis Blackburn, Jr., Thomas D. Stiles, D. H. Hartranft, Wm. Gaul, Rob't Gray, and many others. Reasons: The offence was trifling, and committed under mitigating circumstances; the prisoner had always sustained a good character; has a wife and three children to support; and his longer punishment could answer no good purpose. Three months remitted.

56. WILLIAM CUNNINGHAM. Fayette county, June 7, 1866. "*Robbery.*" Two years in Western Penitentiary. Pardoned May 12. Recommended by the board of inspectors and warden of the penitentiary; G. A. Shallenberger, and others, for the reasons that Cunningham had revealed and defeated a plan, well concerted, of some seventeen or more prisoners to make their escape; had always behaved well, and had served within a few weeks of his sentence.

57. PATRICK LAVELLE. Luzerne county, Sept. 12, 1867. "*Assault and Battery with Intent to Kill.*" \$1,000 fine and twenty months in Eastern Penitentiary. Pardoned May 12. Recommended by all the jurors; Hon. L. D. Shoemaker, Hon. H. M. Hoyt, Wm. Root, A. Wil-

son, Chas. Burr, S. S. Benedict, Wm. B. Parker, and many others, who allege that Lavelle was convicted on insufficient testimony; had always sustained a good character; had a large family dependent upon him, and had been sufficiently punished.

58. AMBROSE JESSOP. York county, May 11, 1868. "*Manslaughter.*" Fifty dollars fine and three months in county jail. Pardoned May 12. Recommended by the president judge, Hon. R. J. Fisher, W. C. Chapman, Wm. Hay, Thos. E. Cochran, John A. Willis, Isaac Frazer, C. F. Reehling, Samuel Gross, Daniel Hartman, and many others. Reasons: The offence was a mere technical manslaughter not demanding severe punishment, committed in the heat of a sudden quarrel, and without intending bodily harm, and not necessarily leading to a fatal result; the prisoner was under seventeen years of age and had been sufficiently punished. Three months remitted.

59. JOHN O'TOOTHILL. Philadelphia, May 18, 1867. "*Manslaughter.*" Five years in Eastern Penitentiary. Pardoned May 19. Recommended by the jurors, Jas. Freeborn, Jos. M. Cowell, A. J. Buckius, Joshua T. Owens, Jas. N. Kerns, Wm. R. Leeds, Rob't P. King, Chas. Kleckner, Jas. Given, George Patchell, Jas. Gibbons, and very many more. Reasons: O'Toothill acted in self-defence, a crowd having attacked him in his own house, and jeopardized his life; he had always sustained a good character, and was wounded in battle while serving in the Union army, and the ends of justice did not demand his longer imprisonment.

60. JAMES WETMORE. Philadelphia, Oct. 2, 1867. "*Assault and Battery.*" Three years in county prison. Pardoned June 4. Recommended by Wm. D. Baker, Joshua Taggart, Andrew M. Sallade, John A. J. Lewis, Wm. M'Mullin, David P. Weaver, John J. Solomon, John J. Miller, Chas. Dixey, Absalom Taylor, Chas. Kane, Joseph H. Brown, Richard Ellis, and many others. Reasons: The trial and conviction followed immediately upon the arrest of the prisoner, he being without counsel or time to prepare his case; the sentence was severe, the prosecutor suffering no injury; great doubt existed as to his guilt; another person is supposed to have committed the offence, and makes no denial; and his long imprisonment had met the ends of justice.

61. HUGH GREEN. Philadelphia, Aug. 17, 1866. "*Robbery.*" Five years in Eastern Penitentiary. Pardoned June 5. Recommended by the district attorney, prosecutor and jury, Col. Joseph H. Sinex, Lieut. John Hamill, John O'Byrne, Thomas Wiley, Geo. W. Aregood, John

Long, Dr. D. O. Skerrett, John Devernig, Walter Burke, Edward Parr, and many others, who represent that Green is a young man; had sustained a good character, and the imprisonment already suffered was sufficient to meet the ends of justice.

62. GEORGE FAGAN and JOHN CLUTZ. Philadelphia, Dec. 15, 1865. "*Assault and Battery.*" Three years in county prison. Pardoned July 13. Recommended by six of the jurors, Chas. H. T. Collis, William J. Ringland, Frederick A. Van Cleve, A. Roberts, Joseph Enue, D. A. Nagle, J. P. Delaney, W. M. Dougherty, and many others. Reasons: Their act was one of indiscretion rather than of criminal intent; both have families in indigent circumstances; had previously borne good characters; and having served two years and six months in prison were sufficiently punished. Six months remitted.

63. JOHN FILLEY. Philadelphia, Aug. 16, 1866. "*Larceny.*" Two years and thirty days in county prison. Pardoned June 23. Recommended by the prosecutor and jurors; W. W. Watt, E. S. Richie, and others; for the reasons that Filley had an aged mother and two young sisters to support; and having suffered nearly two years' imprisonment the ends of justice had been met. Three months remitted.

64. DAVID MORRIS and OWEN OWENS. Lehigh county, June 2, 1868. "*Assault and Battery.*" Sixty days in county jail. Pardoned June 23. Recommended by W. W. Hammersly, Henry C. Longnecker, R. Guth, C. W. Runk, Elisha Forrest, Jonathan Richard, and others, who state that the offence was of a trivial character, with mitigating circumstances; the prisoners had always sustained the reputation of good and peaceable citizens; and the execution of the sentence was not required in their case. Thirty-nine days remitted.

65. CHARLES BANKS. Philadelphia, April 1, 1868. "*Obtaining Goods under False Pretences.*" Two years in county prison. Pardoned June 24. Recommended by Messrs. Brown and Clark, the prosecutors; Samuel Goforth, Wm. Sharswood, Hugh M'Connell, Charles Baker, Wm. B. Van Leer, and others, for the reasons that Banks had made all the reparation in his power; was sincerely repentant; had a young wife to support, and had suffered sufficient for the offence committed.

66. THOMAS NAULTY. Philadelphia, Feb. 12, 1868. "*Fraudulently Procuring the Acknowledgment of a Deed.*" One year in county prison. Pardoned July 1. Recommended by the jurors; Wm. J. Pollock, Geo. Patchell, D. Foy, Jas. Givin, John G. Butler, John W. Boileau, Jos. M.

Cowell, Geo. Connell, Chas. W. Brooke, Joshua T. Owen, and many others, who represent that the offence was committed under greatly palliating circumstances; the prisoner had always sustained a good character, and the punishment already suffered was sufficient. Seven months remitted.

67. RICHARD CLAWSON. Indiana county, Mar. 29, 1866. "*Bigamy.*" Three years in Western Penitentiary. Pardoned July 1. Recommended by the president judge and district attorney, Henry White, A. W. Kimmell, J. B. Sansom, Samuel A. Smith, E. P. Hildebrand, W. M. Steward, and many others. Reasons: Greatly palliating circumstances existed in the case; Clawson had always sustained a good character; and having suffered two years' imprisonment had been amply punished. Nine months remitted.

68. JOHN HENSLER. Allegheny county, Oct. 11, 1867. "*Unlawful Cutting.*" One year in Western Penitentiary. Pardoned July 1. Recommended by Hon. Edwin E. Stowe, president judge, Wm. M'Candless, Wm. Owens, Thos. M. Marshall, and others, who allege that the offence was committed under great provocation and in self-defence; Hensler had always sustained a good character; has a dependent wife and five small children; and humanity and justice demanded his release. Three and a half months remitted.

69. SAMUEL MILLER. Dauphin county, April 28, 1868. "*Adultery.*" One hundred dollars fine and eight months in county prison. Pardoned July 2. Recommended by the district attorney, A. J. Herr, Geo. Bergner, J. D. Hoffman, J. H. Nisley, J. M. Eyster, S. S. Child, Henry Thomas, John Fox, Wm. Kuhn, and others, for the reasons that the conviction was upon testimony of questionable reliance.

70. J. H. MILLER and BARTLEY D. CAMPBELL. Philadelphia, June 22, 1868. "*Libel.*" Each to pay a fine of two hundred and fifty dollars, and Campbell to sixty days in county prison. Pardoned July 15. Recommended by nearly all the proprietors and editors of the Pittsburg journals, Russell Errett, Jas. L. Graham, Abraham R. Ford, Thos. M. Marshall, Jas. S. Negley, W. S. Purviance, Geo. F. Morgan, John H. Kerr, E. P. Jones, A. M. Brown, and a large number of citizens of Allegheny county. Reasons: Miller and Campbell are men of unblemished reputation, and held in great esteem by the community; the libel complained of was published without any malicious intent, but in the discharge of their supposed privilege and duty as public journalists,

and as a matter of common report, and the ends of justice did not demand the full execution of the sentence.

71. JAMES PENDER and JOHN SINCLAIR. Allegheny county, June 11, 1867. "*Robbery.*" Five hundred dollars fine and four years in Western Penitentiary. Pardoned July 11. Recommended by Hon. Thomas Mellon, associate judge, James M'Kaine, Robert Moffitt, Wm. Donaldson, John Marshall, Henry Metzgar, Geo. E. Beaumont, and many others, who allege that the prisoners were convicted under circumstances calculated to create great dissatisfaction, if not serious doubts of their guilt; they had always sustained good characters, and the ends of justice did not demand their continued confinement.

72. HENRY MANSFIELD. Berks county, Aug. 7, 1866. "*Larceny.*" Three years and eight months in Eastern Penitentiary. Pardoned July 15. Recommended by Chas. O'Neil, E. W. Davis, F. G. Wolbert, Jas. C. Kelch, Thomas Cochran, W. N. King, E. C. Bonsall, W. W. Watt, Geo. H. Moore, Wm. B. Mann, Wm. R. Leeds, and others. Reasons: The prisoner restored the property alleged to have been stolen; is a young man of good character, and respectably connected; and had already suffered sufficient punishment.

73. ANN CLEMENS. Allegheny county, Oct. 14, 1864. "*Larceny.*" Four years in Western Penitentiary. Pardoned July 28. Recommended by board of inspectors of the penitentiary, for the reasons that she had served three years and ten months of her sentence; the offence committed was not an aggravated one; and the feeble condition of her health demanded her removal to where she could receive the care and attention of a home. Two and a half months remitted.

74. JAMES R. M'QUOWN. Indiana county, June 18, 1868. "*Manslaughter.*" One hundred dollars fine and five years in Western Penitentiary. Pardoned August 4. Recommended by Mrs. Mary Shields, widow of the person killed; Lewis Dunmire, father of Mrs. Shields; D. S. Porter, district attorney; seven of the jurors; Harry White, Hugh Brady, Wm. G. Lewis, Wm. M. Stewart, A. W. Taylor, H. H. Weir, E. W. M'Conaughy, James R. Porter, Wm. J. Dinsmore, James Dean, W. J. Chandler, and many more. Reasons: The crime was committed during a quarrel provoked by the deceased; M'Quown was not actuated by malice, but in self-defence; he is a mere youth, highly respected, and the mitigating circumstances demanded the exercise of Executive clemency.

75. CHAUNCEY JOHNSON. Philadelphia, Feb. 8, 1867. "*Entering a*

Bank with Intent to Steal." Three years and nine months in Eastern Penitentiary. Pardoned Aug. 7. Recommended by Edward Gibbs, Chas. B. Thompson, W. B. King, Samuel Hartman, Thos. W. Watson, Wm. A. Fritz, Rob't Bennett, and four hundred more citizens of Philadelphia. Reasons: No actual crime had been committed; the intention was as much a matter of conjecture as of proof; the prisoner had an aged mother to support; is in declining health; and under the circumstances the imprisonment of one year and a half already suffered was sufficient to meet the ends of justice.

76. NICHOLAS CAMPBELL. Huntingdon county, April 11, 1866. "*Larceny.*" Three years in Western Penitentiary. Pardoned Aug. 7. Recommended by the president and associate judges and district attorney; Hon. S. M'Camant, Edward H. Williams, John Reilly, and Jas. Cullen, officers of Pennsylvania railroad; E. B. Isett, S. Thompson, and many others, because the prisoner was hopelessly ill with consumption and could not survive the balance of his term of sentence. Eight months remitted.

77. JOHN KANE. Schuylkill county, June 13, 1868. "*Voluntary Manslaughter.*" Five years in county prison. Pardoned Aug. 11. Recommended by Lin Bartholemew, Thos. C. Walker, J. O. Rodes, Joel B. M'Camant, Martin Schaffer, A. W. Schalk, W. A. Maer, C. Smith, Thos. Doyle, and many others. Reasons: Doubts were entertained of his sanity; he was on friendly terms with the person killed, which was in a fray, and could have borne no malice toward him; and the ends of justice did not demand the execution of the sentence.

78. JOHN RUGGLES. Cumberland county, April 14, 1868. "*Perjury.*" One year in Eastern Penitentiary. Pardoned Aug. 11. Recommended by the president judge, district attorney, and the prosecutor; John Lee and other citizens; for the reasons that Ruggles was a mere youth and the dupe of designing men; had always borne a good character, and was sufficiently punished.

79. WM. KING. Westmoreland county, Aug. 24, 1866. "*Larceny.*" Four years in Western Penitentiary. Pardoned Aug. 13. Recommended by the president judge, district attorney and sheriff; D. W. Shryock, Jacob Turney, J. B. Hurst, Wm. M. Jordan, W. J. Hitchman, James Neel, M. J. Overholt, and many others; who state that the prisoner was suffering from an incurable scrofulous disease and could not live much longer if kept in confinement.

80. WM. HAMILTON. Wayne county, Sept. 7, 1864. "*Arson.*" Eight

and a half years in Eastern Penitentiary. Pardoned Aug. 15. Recommended by the president and associate judges; the prosecutor, sheriff, deputy sheriff, and postmaster; Geo. G., and C. P. Walker, E. Penniman, Samuel Allen, H. A. Woodhouse, Gaylord Russell, and others. Reasons: Since his conviction facts had been developed proving his innocence, and further punishment would be unjust.

81. PETER BURNS. Philadelphia, Jan. 10, 1868. "*Forgery.*" One year in county prison from Oct. 4, 1867. Pardoned Aug. 24. Recommended by Wm. H. Juvenal, the party injured; Wm. B. Thomas, whose name was forged; Wm. B. Mann, district attorney; eleven of the jurors; U. S. Senator A. G. Cattell; Hon. Sam'l Randall, John M'Ginnis, Sam'l D. Daily, Samuel Josephs, M. C. Hong, Jas. Holgate, Alex. Adaire, David Foy, Chas. Kleckner, Daniel Witham, Geo. W. Middleton, Wm. V. M'Grath, Dr. C. C. Kamerly, J. W. Frazier, Isaac M'Bride, John G. Butler, and many others; who represent that the life of the prisoner was endangered by imprisonment, his health being greatly impaired and that he had made full restitution. Forty-one days remitted.

82. FRANK WILSON. Warren county, Sept. 6, 1866. "*Larceny.*" One hundred dollars fine and six years in Western Penitentiary. Pardoned Sept. 8. Recommended by Hon. Russell Errett, Hon. W. W. Irwin, S. Schroyer, Jr., Dr. D. N. Rankin, and others. Reasons: The prisoner's conduct had been uniformly good; it was the prevailing opinion he was suffering for the crime of another person; an aged mother was dependent upon him for support; he is in declining health, and the imprisonment already suffered was sufficient.

83. SAMUEL PETERS and JOSEPH LOWRY. Lebanon county, Nov. 5, 1867. "*Larceny.*" One year in Eastern Penitentiary. Pardoned Sept. 8. Recommended by John Benson, district attorney; A. Reinoehl, H. D. Carmany, Henry H. Gelbaugh, A. S. Ely, G. Dawson Coleman, T. T. Worth, H. J. Hoffman, Jas. Shautz, A. Weimer, and many others; who represent that the offence was the first committed by the prisoners and of a trifling character; that they have families suffering from want, and the ends of justice had been answered by the imprisonment already suffered. Two months remitted.

84. JACOB MURPHY. Philadelphia, Dec. 9, 1867. "*Larceny.*" One year in county prison. Pardoned Sept. 14. Recommended by Joseph R. Chandler, H. Yale Smith, M. D., and others; for the reasons that Murphy was a mere youth, dangerously ill, and could not live out the term of his sentence. Three months remitted.

85. WILLIAM DOYLE and JAMES LANE. Franklin county, Jan. 22, 1868. "*Assault and Battery.*" One year and two months in county jail. Pardoned Sept. 17. Recommended by the president and associate judges, the district attorney, and other citizens, for the reasons that the prisoners were youths, who had previous to conviction borne good characters, were deeply penitent, and that the ends of justice had already been met. Six months remitted.

86. EMANUEL SMITH, HENRY SNYDER and WM. H. GLASSMEYER. York county, May 5, 1868. "*Assault and Battery.*" One year in Eastern Penitentiary. Pardoned Sept. 19. Recommended by the president and associate judges; Levi Maish, A. H. Chase, S. G. Boyd, David Faks, D. W. Barnitz, H. W. M'Call, John A. Weakley, and many others; for the reasons that the prisoners had always borne good characters; were highly respected; deeply penitent; and had sufficiently atoned for the offence committed. Six months remitted.

87. SAMUEL BAILEY. Philadelphia, Nov. 25, 1867. "*Assault and Battery.*" Two years and three months in Eastern Penitentiary. Pardoned Sept. 28. Recommended by the prosecutor, Jas. B. M'Donough; W. W. Watt, Chas. Kleckner, Jas. V. Stokes, David Foy, William S. Stokeley, John G. Butler, Henry Conner, and many others; for the reasons that the offence was committed under mitigating circumstances, and the trial was so hurried that facts were excluded which would have acquitted the prisoner.

88. WILLIAM KLINE. Montgomery county, Nov. 13, 1867. "*Larceny.*" Eighteen months in county prison. Pardoned Sept. 28. Recommended by Hons. H. L. Cake and B. M. Boyer, Geo. N. Corson, Benj. Haywood, Lin Bartholomew, Chas. Frailey, A. M. Gray, and others. Reasons: The evidence was not of such a character as to exclude reasonable doubt of guilt; the supposed real criminals had escaped punishment; Kline has a wife and children to support; and justice did not require his continued imprisonment. Eight months remitted.

89. PATRICK CONAGHAN. Lehigh county, April 7, 1868. "*Larceny.*" One year in Eastern Penitentiary. Pardoned Sept. 29. Recommended by the associate judges; sheriff and deputy sheriff; clerk of quarter sessions; Henry C. Longnecker, John H. Oliver, W. H. Souder, E. G. Schwartz, and many others, who allege that Conaghan had always borne a good character, and committed the offence under mitigating circumstances. Four months remitted.

90. SYLVESTER BURK. Montgomery county, Nov. 14, 1866. "*Lar-*

ceny by Bailee." Two years in county prison. Pardoned Oct. 1. Recommended by Joseph R. Saylor, Mahlon Bruner, A. G. Coleman, Jno. S. Moore, J. S. Eisenbery, Henry Y. Linderman, and many others. Reasons: The offence was committed under mitigating circumstances; the property stolen was restored to the owner; the prisoner had an aged father to support; and had served within a few weeks of the term of sentence.

91. JAMES CARSON. Allegheny county, Jan. 6, 1868. "*Fornication and Bastardy.*" Five hundred dollars fine and fifteen months in Western Penitentiary. Pardoned Oct. 5. Recommended by Wm. Gray, father of the prosecutrix; Russell Errett, Jas. L. Graham, Robt. Gray, C. P. Markle, Geo. R. Riddle, A. L. Pearson, F. H. Collier, J. H. Miller, R. A. Cameron, John S. Bell, Wm. A. Shaw, and many others. Reasons: Carson had always borne a good character; was almost the entire support of his parents and family; his health was failing, and the ends of justice had been answered. Six months remitted.

92. ABRAHAM HETRICK. Lancaster county, Nov. 21, 1866. "*Larceny.*" One hundred dollars fine, and three years and three months in county prison. Pardoned Oct. 6. Recommended by the president judge and district attorney; D. W. Patterson, Thos. E. Franklin, Jno. A. Hiestand, W. F. Amweg, A. Herr Smith, W. Carpenter, Jr., Jos. B. Hayward, A. C. Hetrick, M. D., Jas. G. Wells, Henry Conklin, and many others. Reasons: Hetrick is a young man respectably connected, and was not aware that he was committing an act that would render him liable to punishment, and had suffered nearly two years' imprisonment.

93. HENRY BENDER. Philadelphia, October 15, 1867. "*Larceny.*" Eighteen months in county prison. Pardoned Oct. 21. Recommended by Hons. Leon. Myers, W. W. Watt, Jas. Subers, Jas. Holgate and Wm. D. Kelley, Wm. B. Perkins, Mahlon H. Dickerson, Charles Gilpin, Wm. H. Kern, and many others. Reasons: Bender was but fifteen years old when the offence was committed; it was an act of thoughtlessness, influenced by evil companions; he is well connected, and is deeply penitent. Six months remitted.

94. GEORGE A. COWAN. Erie county, Aug. 6, 1866. "*Larceny.*" One hundred dollars fine and three years in the Western Penitentiary. Pardoned Oct. 21. Recommended by the president judge, district attorney, and the prosecutors, D. S. Rose, A. A. Rockwood, M. Cameron, F. E. Staples, P. Clifford, and others. Reasons: The offence was

committed under extenuating circumstances; the stolen goods were recovered; the prisoner's character had previously been unexceptionable, he having occupied a highly respectable position in society, and his conduct in prison was exemplary. Ten months remitted.

95. LEWIS KLINGENSMITH. Armstrong county, Mar. 7, 1867. Two years in Western Penitentiary. Pardoned Oct. 21. Recommended by the president judge, district attorney, and counsel for the prosecution, Jonathan E. Meredith, Samuel Jackson, David Bartley, Absalom Reynolds, Philip Mechling, J. Scott Wilson, Samuel W. Hamilton, and many others. Reasons: The prisoner was a mere youth, led into the commission of crime by vicious associates; his conduct in prison was exemplary; his family were in indigent circumstances, and needed his support. Four months remitted.

96. DAVID WILSON. Allegheny county, Oct. 24, 1868. "*Assault and Battery.*" Thirty dollars fine and twenty days in county prison. Pardoned Oct. 26. Recommended by James L. Graham, Russell Errett, A. L. Pearson, John H. Stewart, John W. Riddle, and many others, who aver that Wilson is a good, honest and useful citizen, and the offence charged was of a nature not deserving of punishment.

97. WILLIAM SMITH. Allegheny county, April 11, 1867. "*Robbery.*" Four years in Western Penitentiary. Pardoned Nov. 17. Recommended by A. L. Pearson, Thomas M. Marshall, John M. Kirkpatrick, Sam'l B. Cluley, Eugene Snowden, Jas. L. Cochran, John H. Stewart, A. M. Brown, Jas. M. Taylor, and many others; for the reasons that the money alleged to have been stolen amounted only to ten dollars, and was not taken with any disposition to commit a theft; that the prisoner had always sustained a good character, and was the only support of a widowed mother.

98. REUBEN ALBRIGHT. Montgomery county, Feb. 26, 1868. "*Larceny.*" One year and six months in county prison. Pardoned Nov. 18. Recommended by the prosecutor, district attorney and prison inspectors, H. G. Saybold, A. C. Smith, Wm. Shott, Chas. Roth, John Y. Fritz, Daniel Livengood, and many more citizens; for the reasons that the prisoner was a boy only sixteen years old; had restored the money stolen, and having served nine months in prison, had been sufficiently punished. Nine months remitted.

99. CHARLES CARSON. Allegheny county, June 7, 1867. "*Assault and Battery.*" One hundred dollars fine and four years in Western Penitentiary. Pardoned Nov. 20. Recommended by the judge and

jurors, Hon. Thomas M. Marshall, John M. Jarrett, John Redman, August Ammon, John Wilson, Samuel B. Cluley, Geo. Black, and many others. Reasons: Carson is a young man of good family, with a wife and children to support, was convicted upon unreliable testimony, and had already suffered sufficient punishment to meet the ends of justice.

100. WILLIAM DAMPMAN. Philadelphia, Sept. 25, 1868. "*Assault and Battery.*" Three months in county prison. Pardoned Nov. 21. Recommended by Thomas Hughes, prosecutor, Henry J. M'Intyre, Wm. R. Leeds, A. M. Walkinshaw, Wm. B. Mann, Gideon Clark, Wm. H. Kern, John E. Addicks, John Cloud, Jas. V. Stokes, Chas. Kleckner, W. W. Watt, and many others. Reasons: Dampman was convicted of a trivial offence; was the only support of an aged mother, and had been sufficiently punished. One month remitted.

101. JOHN G. GERBERICK. Lebanon county, June 22, 1868. "*Adultery.*" Pardoned Nov. 21. Recommended by J. D. Coleman, P. C. Mark, John Benson; recorder, deputy treasurer, and clerk of court; register, sheriff, and clerk of county commissioners; T. T. Worth, Wm. M. Derr, Isaac Hoffer, J. H. Miller, A. C. Heilman, and many others. Reasons: The prosecution is based upon selfish and pecuniary motives; the accused is a respectable citizen, enjoying the confidence of a large circle of acquaintances and friends; and justice demands Executive interference in his behalf.

102. JAS. M'GUIGAN. Philadelphia, Aug. 10, 1868. "*Assault and Battery.*" Six months in county prison. Pardoned Nov. 24. Recommended by Michael Mullin, Jas. M'Manes, R. C. Tittermary, Samuel Daniels, Mahlon H. Dickerson, A. Wilson Henzey, Daniel P. Ray, Joseph F. Mercer, Alex. J. Harper, and many others. Reasons: M'Guigan committed the offence under mitigating circumstances; is far advanced in years, with a family to support; and has always sustained a good character. Two months remitted.

103. SCOTT MONROE. Cambria county, Dec. 3, 1867. "*Receiving Stolen Goods.*" Eighteen months in Western Penitentiary. Pardoned Nov. 25. Recommended by the president judge, district attorney, and prosecutors; Thos. E. Roberts, Abel Loyd, M. D. Wagner, A. A. Barker, H. Kinkead, and others. Reasons: Monroe was a well disposed, though ignorant colored boy, just released from slavery, and unfortunately thrown among evil associates; was believed to be the dupe of another who escaped before trial; and having been imprisoned one year, had been sufficiently punished. Six months remitted.

104. JAMES KERR. Allegheny county, April 1, 1867. "*Larceny.*" Two years in Western Penitentiary. Pardoned Dec. 1. Recommended by Jas. L. Graham, J. M. Kirkpatrick, A. L. Pearson, A. M. Brown, John Mellon, and others, who allege that Kerr was convicted of a trivial offence for which he had atoned by twenty-one months' imprisonment. Three months remitted.

105. EDWARD WILKES. Washington county, May 28, 1867. "*Larceny.*" Three years in Western Penitentiary. Pardoned Dec. 1. Recommended by E. M. Johnson, prosecutor; Hugh L. Bond, R. Stockett Matthews, John L. Thomas, Jr., Wm. Pinckney Whyeth, John Richardson, Wm. B. Lyons, A. Rufus Gill, A. J. West, and many others; who allege that the offence committed was of a trifling nature; the prisoner had always borne a good character, and had made sufficient atonement by an imprisonment of eighteen months.

106. JAMES SNYDER. Huntingdon county, April 11, 1866. "*Larceny.*" Four and a half years in Western Penitentiary. Pardoned Dec. 7. Recommended by H. S. Wharton, M. S. Lytle, John W. Matern, R. M'Murtrie, Henry E. Miller, Sam'l H. Shoemaker, R. B. Petriken, W. K. Williamson, George W. Steele, and many others. Reasons: Snyder was but sixteen years old, and seduced into the commission of crime by the machinations of another; had previously sustained an excellent character; was truly penitent; and having suffered more than two and a half years' imprisonment, the ends of justice were fully met.

REMISSIONS OF FINES.

1. WM. JELLISON. Venango county, Nov. 26, 1867. "*Keeping a Gambling House.*" Three months' imprisonment and a fine of five hundred dollars. Fine remitted Feb. 28. Recommended by Hon. John Trunkey, R. S. M'Cormick and Jas. L. Connelly, judges of the court; the district attorney and sheriff; Daniel Jones, Jas. S. M'Cray, N. H. Jayne, J. G. Elliott, R. R. Taylor and many other citizens, for the reasons that Jellison had always sustained a good character; was deeply penitent, and without means to pay the fine imposed; and that he was sufficiently punished in the service of his term of imprisonment.

2. FANNY SPLANE. Allegheny county, Oct. 28, 1867. "*Keeping a Bawdy House.*" Two months' imprisonment and a fine of five hundred dollars. Fine remitted Mar. 20. Recommended by J. M. Kirkpatrick, R. Biddle Roberts, T. M. Marshall, R. B. Parkinson, Sam'l B. Cluley, and others; for the reasons that she was convicted on slight testimony

relating to events that had transpired eighteen months previous; the prosecution was prompted by personal feelings; and the term of imprisonment had been served out.

3. ABEL COHEN. Allegheny county, April 6, 1868. "*Fraudulently Secreting and Removing Property.*" Sentence, one thousand dollars fine and one month in county jail. Fine remitted May 13. Recommended by Hon. Jas. Blackmore, mayor of Pittsburg; A. M. Brown, J. R. Butterfield, J. W. M'Master, D. S. Morrison, John Gazzam, H. A. Collier, A. Cook, J. Sternes, Samuel Myers and many others. Reasons: He was unable to pay the fine, and had a large and impoverished family; it had been proved that he was the victim of a conspiracy: his guilt was seriously doubted; and justice required no greater punishment than the imprisonment he had suffered.

4. LYDIA SENIOR. Dauphin county, April 13, 1868. "*Adultery.*" Eight months in county jail and twenty dollars fine. Fine remitted Dec. 9. Recommended by J. W. Simonton, George Bergner, J. D. Hoffman, Jos. H. Nisley, A. J. Herr and others; for the reason that the prisoner had been incarcerated about ten months, and was therefore sufficiently punished.

FORFEITED RECOGNIZANCES.

1. CHARLES SCHICK. Philadelphia. Entered recognizance in the sum of five hundred dollars, Dec. 19, 1864. Forfeited by non-appearance of J. M. Kamheimer, charged with "*Larceny.*" Remitted May 15, because it was established by the records in the case that Schick was not legally bound to pay the alleged forfeiture.

DEATH WARRANTS.

1. WM. DONAVAN. York county. Warrant issued Feb. 25. Executed Tuesday, March 31.

2. THOMAS M'CARTY. Venango county. Warrant issued Sept. 26. Executed Wednesday, Oct. 28.

TABULAR STATEMENT of the number of pardons, remissions of fines and forfeited recognizances, (with the yearly average,) restorations to citizenship and death warrants issued from the year 1791 to 1868, inclusive, together with the names of the Governors by whom they were issued.

Years, inclusive.	No. of years.	Pardons and remissions.	Yearly average	Death warrants.	Restoration to citizenship.	By whom issued.
From 1791 to 1799	9	1, 188	132	10		Thomas Mifflin.
" 1800 to 1808	9	1, 909	212	10		Thomas M'Kean.
" 1809 to 1817	9	1, 555	172	6		Simon Snyder.
" 1818 to 1820	3	1, 304	434	6		William Findlay.
" 1821 to 1823	3	787	262	4		Joseph Hiester.
" 1824 to 1829	6	821	136	7		John A. Shultz.
" 1830 to 1835	6	502	83	8		George Wolf.
" 1836 to 1838	3	481	160	6		Joseph Ritner.
" 1839 to 1844	6	725	120	14	57	David R. Porter.
" 1845 to 1848	4	327	81	11	35	Francis R. Shunk.
" 1849 to 1851	3	378	126	6	29	William F. Johnston.
" 1852 to 1854	3	326	108	11	37	William Bigler.
" 1855 to 1857	3	161	53	8	37	James Pollock.
" 1858 to 1860	3	216	72	12	34	William F. Packer.
" 1861 to 1866	6	763	127	18	1	Andrew G. Curtin.
" 1867 to 1868	2	172	86	10	1	John W. Geary.
Totals	78	11, 615	149	147	231	